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ZONE OF PEACE AND COOPERATION OF THE SOUTH ATLANTIC

Report of the Secretary-General

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I. INTRODUCTION

1. At its forty-fifth session, the General Assembly adopted resolution 45/36 of 27 November 1990, entitled "Zone of peace and cooperation of the South Atlantic", in which the Assembly, taking note of the report of the Secretary-General, inter alia, called upon all States to cooperate in the promotion of the objectives of peace and cooperation established in the declaration of the zone of peace and cooperation of the South Atlantic and to refrain from any action inconsistent with those objectives, as well as with the Charter of the United Nations and relevant resolutions of the Organization, particularly actions which may create or aggravate situations of tension and potential conflict in the region.

2. The General Assembly also welcomed the holding of the second meeting of the States of the zone of peace and cooperation of the South Atlantic at Abuja, Nigeria, from 25 to 29 June 1990, and the convening of a seminar of a group of experts at Brazzaville from 12 to 15 June 1990, and one in Uruguay in April 1991. This seminar was devoted to reviewing the development and implementation of the legal regime established by the United Nations Convention on the Law of the Sea. It also noted that the Secretary-General was requested to keep the implementation of resolution 41/11 under review and to submit a report to the General Assembly at its forty-fifth session, taking into account, inter alia, the views expressed by Member States, and the decision to include in the provisional agenda of the Assembly's forty-sixth session the item entitled "Zone of peace and cooperation of the South Atlantic".

3. Pursuant to resolution 45/36, the Secretary-General addressed a note verbale on 15 April 1991 to the Governments of the States Members of the United Nations requesting their views on the implementation of the declaration of the zone of peace and cooperation of the South Atlantic.

4. At the time of writing, four Governments have replied to the Secretary-General. Any replies and notifications that may be received subsequently will be published as addenda to the present report.

II. OTHER ACTIVITIES AFFECTING IMPLEMENTATION OF THE OBJECTIVES OF THE ZONE OF PEACE AND COOPERATION OF THE SOUTH ATLANTIC

5. According to a decision of the first meeting of States of the zone of peace and cooperation of the South Atlantic, and to General Assembly resolution 45/36, a second meeting of the Group of Experts of the States members of the zone of peace and cooperation of the South Atlantic was held at Montevideo from 3 to 6 April 1991. At that meeting, particular importance was attached to various problems related to implementation of the United Nations Convention on the Law of the Sea in the region and to the national maritime policies of the States of the zone; areas of cooperation among States of the zone of peace and cooperation; harmonization of national legislations; review

of national marine policies with a view to the development of cooperation at various levels and to the protection and preservation of the maritime environment, including living and non-living resources.

6. The meeting of experts recommended, inter alia, that States members of the zone of peace and cooperation that have not done so should consider ratifying the Convention on the Law of the Sea and develop a regional system of information on the law of the sea and marine affairs. It also recommended the development of a regional and subregional system for the exchange of marine scientific information on the living and non-living resources and cooperation in training, marine scientific research and transfers of technology.

7. On the issue of protection and preservation of the marine environment, the experts proposed the initiation of contacts at the bilateral and subregional levels for enforcing national legislative provisions on the protection and preservation of the marine environment; the establishment of a mechanism for monitoring the marine environment; and the implementation of measures to avoid any negative environmental impact on straddling stocks. For further cooperation among the States of the zone of peace and cooperation, the meeting also recommended the development of a subregional seas programme.

III. REPLIES RECEIVED FROM GOVERNMENTS

ARGENTINA

[Original: Spanish]

[30 May 1991]

1. The Government of the Argentine Republic wishes to reiterate its firm support for the declaration of the zone of peace and cooperation of the South Atlantic (General Assembly resolution 41/11), in the conviction that the countries of the region bear a major responsibility for achieving the objectives of the declaration. However, the Argentine Government feels that the countries of all other regions, particularly the militarily significant States, also have a special duty to cooperate so as to avoid hampering the achievement of these aims.

2. The Government of the Argentine Republic attaches particular importance to paragraph 2 of resolution 45/36, in which the General Assembly "calls upon all States to cooperate in the promotion of the objectives of peace and cooperation established in the declaration of the zone of peace and cooperation of the South Atlantic and to refrain from any action inconsistent with those objectives, as well as with the Charter of the United Nations and relevant resolutions of the Organization, particularly actions which may create or aggravate situations of tension and potential conflict in the region".

3. In connection with the above-mentioned paragraph 2, attention should be drawn to the persistence in the South Atlantic of a colonial situation in the Malvinas Islands, South Georgia and the South Sandwich Islands, which affects the territorial integrity of the Argentine Republic. The process of normalizing relations between my country and the United Kingdom of Great Britain and Northern Ireland, on which the Secretary-General and the General Assembly of the United Nations have been kept duly informed, has not yet resolved the issue of sovereignty with regard to this colonial occupation.

4. Consequently - and given that it has not been possible to achieve the peaceful settlement repeatedly called for by the international community in the relevant General Assembly resolutions - it is vital that the parties to this dispute refrain from taking unilateral measures in any field, particularly that of natural resources, which could hamper the achievement of the aims of the zone of peace and cooperation of the South Atlantic and affect the prospects for a just and lasting settlement of the sovereignty issue.

5. Continuing importance should therefore be attached to the final document adopted by the States of the zone meeting on 29 June 1990 in Abuja, Nigeria, in which they:

> "Express the hope that this new process of dialogue and cooperation should lead as soon as possible to the resumption of negotiations with a view to finding a just and durable solution to the dispute on sovereignty existing between both States;
>
> "Urge the full implementation of the United Nations General Assembly resolutions related to the question of the Malvinas Islands, that recommend that both States find the means to resolve peacefully and definitively all aspects of the future of the Islands, in accordance with the Charter of the United Nations."

6. Turning to other matters, I should also like to inform the Secretary-General that new developments in the field of cooperation between the Latin American member States have taken place in the region.

7. On 26 March 1991, by political decision of the Presidents of the Argentine Republic, the Federative Republic of Brazil, the Republic of Paraguay and the Eastern Republic of Uruguay, the Treaty of Asunción was signed, setting up with effect from 31 December 1994 a common market bringing together the economies of the four countries and creating an appropriate means for improving the competitiveness of the countries and their economic operators.

8. The extensive climate of confidence and mutual cooperation between the Argentine Republic and the Federative Republic of Brazil in the peaceful use of nuclear power has enabled both countries to take a further step towards integration. On 28 November 1990 at Foz do Iguaçú, Brazil, Presidents Carlos Menem and Fernando Collor signed an Argentine-Brazilian Declaration on the Joint Nuclear Policy.

9. This instrument established a common system of accounting and control of nuclear materials for the two countries, provided for the negotiation - currently in progress - of an agreement on safeguards with the International Atomic Energy Agency specific to the two countries and, finally, provided for the adoption of measures for the full implementation of the Treaty of Tlatelolco, including the updating and improvement of that Treaty.

10. Furthermore, at the twelfth session of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL) a resolution was adopted on cooperation between the Latin American nuclear-weapon-free zone and the zone of peace and cooperation of the South Atlantic, calling upon the States parties and signatories to the Treaty of Tlatelolco and its additional protocols to submit suggestions on formulas for devising mechanisms for cooperation between the two zones. On the basis of the replies received, the Secretary-General of OPANAL is to draw up a report for submission to the Agency at its next General Conference.

11. Despite the aspiration common to all countries of the zone to extend agreements on political matters to areas connected with development, my Government feels that the exchanges between the Latin American and African members of the zone have not yet achieved their full potential. The Argentine Government is therefore particularly concerned that help should be given to extend horizontal cooperation between all the countries of the zone, with the collaboration and assistance of the United Nations Development Programme, as called for in the 1990 Abuja declaration.

BRAZIL

[Original: English]

[3 June 1991]

1. With the recent resurgence of multilateralism, as well as the negotiated settlement of conflicts experienced by the States of the zone of peace and of cooperation of the South Atlantic, the ideal has gained new impetus that the South Atlantic might definitively assert itself as the least-armed ocean in the world, in fulfilment of its calling as an area destined for cooperation and peaceful exchanges among peoples. The independence of Namibia, the gradual abolition of the apartheid regime in South Africa, and the progress in the peace talks between the Government of the People's Republic of Angola and the National Union for the Total Independence of Angola which, favoured by the climate of détente, led to the signing of a cease-fire agreement on 31 May 1991, have all contributed to consolidating the zone of peace.

2. Aware of the important role played by the United Nations in normalizing the situation in southern Africa, Brazil has participated in the United Nations Verification Mission in Angola (UNAVEM) since its inception, the command of the mission having been entrusted to a Brazilian officer. With the signing at Lisbon of the peace accords for Angola and the calling of

elections, Angola is poising itself for a return to institutional normality. The independence of Namibia and the end of apartheid in South Africa will allow the southern part of the continent to integrate itself fully into the zone of peace and cooperation.

3. On the Latin American side of the Atlantic, there are favourable prospects for continued improvement in the understanding between Argentina and the United Kingdom, as may be indicated by the climate of dialogue and mutual understanding that prevailed at the fourth meeting of the Working Group on South Atlantic matters, held at Montevideo on 21 and 22 March 1991.

4. Long-standing aspirations for peace and coexistence in the region materialized with the Treaty establishing the common market in the southern cone of the South American continent (MERCOSUR), signed by the Presidents of Argentina, Brazil, Paraguay and Uruguay at Asunción on 26 March 1991. That instrument, which sets down the rules for the establishment of a common market among the four countries concerned by 31 December 1994, is a landmark in overcoming protectionist and other national barriers of any kind. MERCOSUR will comprise an area of 11,800,000 square kilometres and a population of 180 million. It will be open for negotiation on accession by any State member of the Latin American Integration Association (LAIA) five years after its entry into force; any State which does not participate in extraregional associations or other subregional integration agreements may request to accede to it before that date. As stated by President Fernando Collor, "MERCOSUR is not meant to constitute an exclusive economic area, but rather an economic space both fully accessible and fully complementary to cooperation and exchanges among all Latin American States and groups of States".

5. The mutual friendship and cooperation between Brazil and Argentina found expression in the Declaration on the Joint Nuclear Policy, signed by the Presidents of both countries at Foz do Iguaçú on 28 November 1990, whereby a common system of accounting and control was established to ensure mutual control of both countries' nuclear activities. The two Heads of State committed themselves jointly to negotiate an agreement on safeguards with the International Atomic Energy Agency, as well as to update the Treaty of Tlatelolco, with a view to permitting its full entry into force. The importance of this event for the pursuit of the objectives that underlie the zone of peace and of cooperation need hardly be emphasized.

6. In the same spirit, a resolution was adopted at the twelfth regular session of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL), held at Mexico City from 9 to 10 May 1991, whereby States Parties signatories of the first and second protocols to the Treaty of Tlatelolco were invited to submit suggestions on formulas for the creation of cooperative mechanisms between the zone of peace and cooperation and the Latin American nuclear-weapon-free zone.

7. Cooperation and coordination among the States of the zone of peace and cooperation have also advanced in the field of the law of the sea and protection of the marine environment, as attested by the second meeting of

the marine environment, as attested by the second meeting of experts on the law of the sea of the States of the zone of peace and cooperation of the South Atlantic, held at Montevideo from 3 to 6 April 1991. Seventeen experts attended the meeting, from which recommendations emerged concerning specific issues related to the law of the sea, particularly with regard to maritime law, policies and planning, protection and preservation of the marine environment and human resources management and training.

8. The fact that the establishment of the zone of peace and cooperation meets the universal aspiration towards eliminating threats to peace and towards ensuring a climate of tranquillity and understanding necessary for social and economic progress is attested by the growing, and now almost unanimous, support of the States Members of the United Nations for the successive resolutions on the zone of peace and cooperation adopted since resolution 41/11 of 27 October 1986.

ECUADOR

[Original: Spanish]

[23 April 1991]

1. I should like to confirm that the Government of Ecuador is playing an active part in applying all the principles set out in resolution 45/36 with a view to promoting a genuine zone of peace and cooperation in the South Atlantic, where not only the siting of nuclear weapons but also the transit of dangerous materials and the deposit of radioactive waste would be prohibited. These measures would serve to back up the efforts made by Latin America and Africa to denuclearize their respective continents and would offer a further guarantee of security to neighbouring non-Atlantic countries.

2. The Government of Ecuador also shares the goal of protecting the environment and preserving the marine and coastal living resources of all the natural regions of the planet, especially one of such strategic importance to the world as the South Atlantic.

3. Ecuador believes that one of the most suitable instruments for achieving these goals is international cooperation and, consequently, it not only welcomes the decision of the countries of the South Atlantic to foster such cooperation, but also declares its full willingness to take part in any programme that provides for participation by neighbouring non-Atlantic countries.

4. Finally, the Government of Ecuador believes that the international community must unreservedly support the aspirations of the South Atlantic States to establish effective machinery to promote human rights, racial equality, justice and fundamental freedoms, so as to ensure that all these are taken into account as vital elements for the establishment ofpeace, the full development of peoples and the consolidation of regional and interregional solidarity.

UNION OF SOVIET SOCIALIST REPUBLICS

[Original: Russian]

[3 June 1991]

1. The Soviet Union reaffirms its support for regional efforts to limit the arms race, and for disarmament, the establishment of new post-confrontational security structures and the encouragement of fruitful cooperation and relations of partnership between States in various fields of intraregional cooperation. Such efforts are an integral part of the global process, currently gathering force, of creating a new world structure based on the democratic institutions common to the civilized world and on the norms of international law. It is in this light that we consider the initiative of the South Atlantic States to create a zone of peace and cooperation in the region which was put forward at the forty-fifth session of the United Nations General Assembly.

2. The efforts to promote this initiative undertaken by the States in the region against the background of a general improvement in international relations are making it easier to translate it into practical reality. A further step in this direction was the twelfth session of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL), held in May 1991 in Mexico. We share the support expressed by the participants in the forum for collective action aimed at preventing the introduction of nuclear weapons into the region, as well as their concern to eliminate chemical and bacteriological weapons throughout the world. In the light of recent events in the region of the Persian Gulf, the appeal made to strengthen the regime of the Treaty of Tlatelolco and establish a regional security system in the interests of ensuring peace and stability in the region and, on the planet as a whole, deserves support.

3. In our opinion, the joint initiatives of Argentina and Brazil on the peaceful uses of nuclear energy could provide a positive stimulus to the development and consolidation of multilateral cooperation in the region. The implementation of the Declaration on the Joint Nuclear Policy, signed at the end of 1990 by the Heads of State of the two countries, might help to prevent the proliferation of nuclear weapons of all kinds and ensure that the zone has a genuine non-nuclear status.

4. The Soviet Union is convinced that an indispensable condition for the establishment of a zone of peace and cooperation in the South Atlantic is the dismantling of apartheid and the establishment of a non-racial, democratic and stable State in South Africa. The Soviet Union, which is in favour of a political solution to the problem of apartheid, proceeds from the assumption that all the influential forces in the Republic of South Africa will show the necessary will and determination and do everything they can to bring about an end to violence in the country and the initiation of full-scale talks on a future constitution, and to ensure that the process of change as a whole is irreversible. We also welcome the declared intention of the South African

Government to accede to the Treaty on the Non-Proliferation of Nuclear Weapons and the International Atomic Energy Agency's system of guarantees.

5. A key factor in reducing tension and strengthening stability in the region has been the settlement of the Namibian problem with the entry of an independent Namibia, as a fully equal member, into the world community and the family of States of the South Atlantic.

6. Following Namibia, peace and prosperity must come to the neighbouring country of Angola. It is essential that the agreement reached between the Angolan Government and the opposition forces on a cease-fire and a political settlement should lead to the establishment of genuine peace and national reconciliation in that long-suffering country.

7. The Soviet Union supports the appeal of the United Nations General Assembly to all States to cooperate in promoting the objectives of the establishment of a zone of peace and cooperation in the South Atlantic. For our part we are ready to promote in every possible way the efforts of the States in the region in that direction.